

1 THE HONORABLE JOHN C. COUGHENOUR

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 BOARD OF TRUSTEES OF THE
10 EMPLOYEE PAINTERS' TRUST, *et al.*,

11 Plaintiffs,

12 v.

13 YOUNG'S GLASS CO. LLC., *et al.*,

14 Defendants.

CASE NO. C18-0784-JCC

ORDER

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16 This matter comes before the Court on Plaintiffs' motion for default judgment (Dkt. No.
17 43). The Court has considered the motion and the relevant record and FINDS that:

18 (1) Defendant Young's Glass Co. LLC. ("Young's Glass") was properly served in
19 this matter on or about August 20, 2018 (Dkt. No. 23);

20 (2) Defendant Michael Patrick Young was properly served in this matter on or about
21 November 29, 2018 (Dkt. No. 36);

22 (3) The Clerk entered an order of default against Defendant Young's Glass on
23 November 28, 2018 (Dkt. No. 32) and against Defendant Michael Patrick Young on February 13,
24 2019 (Dkt. No. 38);

25 (4) Defendants Young's Glass and Michael Patrick Young have failed to appear or
26 otherwise defend in this action; and

(5) The factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986) support granting default judgment in Plaintiffs’ favor.

Accordingly, Plaintiffs’ motion for default judgment (Dkt. No. 43) is GRANTED in its entirety. The Court ORDERS as follows:

SUMMARY OF JUDGMENT

Judgment Creditors	Board of Trustees of the Employee Painters’ Trust; Board of Trustees of the Western Glaziers Retirement Fund; Board of Trustees of the District Council No. 5 Apprenticeship And Training Trust Fund; Board of Trustees of the Washington Construction Industry Substance Abuse Program; Board of Trustees of the Painters And Allied Trades Labor-Management Cooperation Initiative; Western Washington Glaziers Org Fund; Western Washington Glaziers MRP; International Union Of Painters And Allied Trades District Council No. 5	
Judgment Debtors	Young’s Glass, LLC	Michael Patrick Young
Delinquent Contributions	\$23,112.59	\$21,277.35
Interest through May 31, 2019	\$5,748.94	\$5,717.41
Liquidated Damages	\$5,822.07	\$5,154.11
Attorney Fees	\$16,572.88	\$16,572.88
Costs	\$2,416.40	\$2,416.40
Total Judgment	\$53,672.88	\$51,138.15

Post-Judgment Interest on Delinquent Contributions shall accrue at rates set forth in the Trust Agreements.

Post-Judgment Interest Rate on all other amounts shall accrue at the rate fixed under 28 U.S.C. § 1961.

Attorneys for Judgment Creditors

Michael A. Urban, WSBA #20251;
Wesley J. Smith, WSBA #51934

- (1) Default judgment against Young's Glass, LLC in the total amount of \$53,672.88, consisting of delinquent fringe benefits contributions for the period of May 2017 through October 2017 in the amount of \$23,112.59; interest through May 31, 2019 in the amount of \$5,748.94; liquidated damages in the amount of \$5,822.07; attorney fees in the amount of \$16,572.88; and costs in the amount of \$2,416.40;
- (2) Default judgment against Michael Patrick Young in the total amount of \$51,138.15, consisting of delinquent fringe benefits contributions for the period of May 2017 through October 2017 in the amount of \$21,277.35; interest through May 31, 2019 in the amount of \$5,717.41; liquidated damages in the amount of \$5,154.11; attorney fees in the amount of \$16,572.88; and costs in the amount of \$2,416.40;
- (3) The delinquent contributions shall accrue interest at the rates fixed by the Trust Agreements until paid; and
- (4) The remaining judgment amounts shall accrue interest at the rate fixed under 28 U.S.C. § 1961.

DATED this 5th day of June 2019.



John C. Coughenour
UNITED STATES DISTRICT JUDGE